

AFFIDAVIT OF SERVICE

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

DOCUMENTS SERVED WITH INDEX # 08CV00211 AND FILED ON JANUARY 10, 2008

ATTORNEY(S): Rabinowitz, Boudin, David Goldstein

Plaintiff

Patricia Leo Holloman, et al

vs

New York State Nurses Association

Defendant

STATE OF NEW YORK: COUNTY OF ALBANY COUNTY, SS.:

James Perone, being duly sworn deposes and says deponent is not a party to this action, is over the age of eighteen years and resides in the State of New York. That on January 14, 2008 at 2:02pm at c/o Registered Agent Richard Silber, 11 Cornell Rd, Latham, NY 12110 deponent served the within Summons in a Civil Action and Complaint, Civil Cover Sheet and Judges Rules

on: New York State Nurses Association ' Defendant (herein called recipient) therein named.

INDIVIDUAL

A ☐

By personally delivering to and leaving with said a true copy thereof, and that deponent knew the person so served to be the person mentioned and described in said Summons in a Civil Action and Complaint, Civil Cover Sheet and Judges Rules

CORPORATION

B ☒

By delivering to and leaving with Richard Silber at 11 Cornell Rd, Latham, NY 12110 and that deponent knew the person so served to be the Registered Agent of the corporation. Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person:

SUITABLE
AGE PERSONC ☐

By delivering a true copy thereof to and leaving with a person of suitable age and discretion at the said premises being the defendants/respondents [] dwelling place (usual place of abode) [] actual place of business within the State of New York.

AFFIXING
TO DOOR
D ☐

By affixing a true copy thereof to the door of said premises, the same being the defendant's [] dwelling house (usual place of abode) [] actual place of business within the State of New York.

MAILING TO
RESIDENCE
(use with C or D)E1 ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's residence at and deposited said envelope in an official depository under the exclusive care and custody of the United States Post Office within New York State on

MAILING TO
BUSINESS
(use with C or D)E2 ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business at in an official depository under the exclusive care and custody of the United States Post Office within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant and mailed on

PREVIOUS
ATTEMPTS
(use with D)F ☐

Deponent had previously attempted to serve the above named defendant/ respondent

Day	Date	Time
Day	Date	Time
Day	Date	Time

Deponent spoke with who stated to deponent that the said defendant(s) lived at the aforementioned address, but did not know defendant's place of employment.

G ☒

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.

VOID WITHOUT
DESCRIPTION
(Use with A, B, C & D)

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Approximate age 48 Approximate weight 190 Approximate height 6'2 Sex Male
Color of skin White Color of hair Black Other

MILITARY
SERVICE
☒

Deponent asked the person spoken to whether the defendant/respondent was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further says that deponent knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

NON-
SERVICE
H ☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served due to the following: [] Not known at address [] Address does not exist [] Evading [] Moved left no forwarding [] Other

WIT. FEES

☐

\$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Sworn to before me on this 15th day of January, 2008

DONNA M. TIDINGS

NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 15, 2011

James Perone

Attny's File No.

Invoice/Work Order # SP0800407

SERVICO, INC. - PO Box 871 - ALBANY, NEW YORK 12201 - PH 518-463-4179